

GEKP

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
ROBERT N.C. NIX BUILDING
900 MARKET STREET
SUITE 400
PHILADELPHIA 19107-4299

Timothy B. McGrath
Clerk

Telephone
(215) 408-2800

January 20, 2017

Re: John J. Lynch
vs
Evelyn Rivera,
Bank of America
Bayshore Loan Servicing
KML Group, Inc.
Bankruptcy No.: 16-16269AMC Adversary No. 16-301
Civil Action No.

17 0312

Dear Mary C. Barkman, Clerk of Court:

We herewith transmit the following document(s) filed in the above matter(s), together with a certified copy of the docket entries:

(X) Certificate of appeal from order entered December 1, 2016 and Dated November 30, 2016 by the Honorable Ashely M. Chan.

Notice of appeal filing fee ()paid (X)not paid

() Designation of Record on Appeal Filed

() Designation of Record on Appeal Not Filed

() Supplemental certificate of appeal.

() Motion for leave to appeal filed .

() Answer to motion filed .

() Proposed findings of fact and conclusions of law entered by the Honorable .

() Objections filed .

() Report and recommendation entered by the Honorable .

() Objections filed .

() Original record transferred to the District Court pursuant to the order of the Honorable .

() Other:

Kindly acknowledge receipt on the copy of the letter provided.

For the Court

Timothy B. McGrath
Clerk

By: Shay
Deputy Clerk

Received Above material or record file this 20th day of Jan, 20 17.

Civil Action No. 17 0312 Signature: Steve Tomas

Miscellaneous No. — Date: 1/20/17

Assigned to Judge Pratter

JAN 20 2017

BFL form (rev 2/15)

#39

Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

727OBJ, DISPOAP, DISMISSED, APPEAL

**U.S. Bankruptcy Court
Eastern District of Pennsylvania (Philadelphia)
Adversary Proceeding #: 16-00301-amc**

Assigned to: Judge Ashely M. Chan

Date Filed: 09/12/16

Lead BK Case: 16-16269

Date Dismissed: 11/30/16

Lead BK Title: Evelyn Rivera

Lead BK Chapter: 7

Demand: \$50000

Nature[s] of Suit: 21 Validity, priority or extent of lien or other interest in property
31 Approval of sale of property of estate and of a co-owner - 363(h)
41 Objection / revocation of discharge - 727(c),(d),(e)
68 Dischargeability - 523(a)(6), willful and malicious injury
91 Declaratory judgment

Plaintiff

John J. Lynch
3281 Red Lion Road
Apt. #1
Philadelphia, PA 19114

represented by **John J. Lynch**
PRO SE

V.

Defendant

Evelyn Rivera
10814 Modena Ter
Philadelphia, PA 19154
SSN / ITIN: xxx-xx-2232

represented by **JENNIFER SCHULTZ**
Community Legal Services
North Philadelphia Law Center
1410 W. Erie Avenue
Philadelphia, PA 19140-4111
215 227-2400x2420
Fax : 215 227-2435
Email: jschultz@clsphila.org
LEAD ATTORNEY

Defendant

Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

BANK OF AMERICA

represented by **KEVIN G. MCDONALD**
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103
215-569-5582
Fax : 215-832-5582
Email: KMcdonald@blankrome.com

Defendant




Bayshore Loan Servicing

represented by **KEVIN G. MCDONALD**
(See above for address)

Defendant









KML Group, Inc.

represented by **THOMAS I. PULEO**
KML Law Group, P.C.
701 Market Street
Suite 5000
Philadelphia, PA 19106
(215) 627-1322
Fax : (215) 627-7734
Email: tpuleo@kmllawgroup.com

Filing Date	#	Docket Text
09/12/2016	 <u>1</u>	Adversary case 16-00301. Complaint by John J. Lynch against Evelyn Rivera , BANK OF AMERICA , Bayshore Loan Servicing , KML Group, Inc. . Fee Amount \$0.00 . (Attachments: # <u>1</u> Adversary Coversheet # <u>2</u> Certificate of Service) (21 (Validity, priority or extent of lien or other interest in property)) ,(31 (Approval of sale of property of estate and of a co-owner - 363(h))) ,(41 (Objection / revocation of discharge - 727(c),(d),(e))) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) ,(91 (Declaratory judgment)) (G., Jennifer) (Entered: 09/12/2016)
09/12/2016	 <u>2</u>	Petition to Proceed In Forma Pauperis Filed by John J. Lynch (related document(s) <u>1</u>). (G., Jennifer) (Entered: 09/12/2016)
09/12/2016	 <u>3</u>	1 Summons Issued to Plaintiff(s) to be served upon Defendant(s) BANK OF AMERICA Date Issued 9/12/2016,








Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

		Answer Due 10/12/2016; Bayshore Loan Servicing Date Issued 9/12/2016, Answer Due 10/12/2016; KML Group, Inc. Date Issued 9/12/2016, Answer Due 10/12/2016; Evelyn Rivera Date Issued 9/12/2016, Answer Due 10/12/2016. (G., Jennifer) (Entered: 09/12/2016)
09/12/2016	 <u>4</u>	Court's Certificate of Mailing. Number of notices: 1 John J. Lynch(pla)(related document(s) <u>1</u> , <u>3</u>). (G., Jennifer) (Entered: 09/12/2016)
09/26/2016	 <u>5</u>	Summons Service Executed on BANK OF AMERICA 9/26/2016; Bayshore Loan Servicing 9/26/2016; KML Group, Inc. 9/26/2016; Evelyn Rivera 9/26/2016 . (D., Stacey) (Entered: 09/27/2016)
09/26/2016	 <u>6</u>	Order Re: Upon consideration of the petition to proceed in Forma Pauperis, it is hereby Ordered that the petition is Denied. Plaintiff shall have 30 days from the date of this order to pay the required filing fee. (related document(s) <u>2</u>). (D., Stacey) (Entered: 09/27/2016)
09/29/2016	 <u>7</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>6</u>)). No. of Notices: 3. Notice Date 09/29/2016. (Admin.) (Entered: 09/30/2016)
10/10/2016	 <u>8</u>	Motion to Dismiss Adversary Proceeding Filed by KML Group, Inc. Represented by THOMAS I. PULEO (Counsel). (Attachments: # <u>1</u> Brief in Support of the Motion of Defendant, KML LAW GROUP,P.C., to Dismiss Plaintiff's Adversary Complaint # <u>2</u> Exhibit A-H # <u>3</u> Proposed Order # <u>4</u> Service List) (PULEO, THOMAS) (Entered: 10/10/2016)
10/10/2016	 <u>9</u>	Notice of (related document(s): <u>8</u> Motion to Dismiss Adversary Proceeding) Filed by KML Group, Inc.. Hearing scheduled 11/16/2016 at 11:00 AM at nix5 - Courtroom #5. (Attachments: # <u>1</u> Service List)(PULEO, THOMAS) (Entered: 10/10/2016)
10/12/2016	 <u>10</u>	Motion to Dismiss Adversary Proceeding Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). (Attachments: # <u>1</u> Proposed Order # <u>2</u> Service List # <u>3</u> Volume(s) brief in support) (SCHULTZ, JENNIFER) (Entered: 10/12/2016)
10/12/2016	 <u>11</u>	Notice of Appearance and Request for Notice <i>with Certificate of</i>

Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

		Service by KEVIN G. MCDONALD Filed by KEVIN G. MCDONALD on behalf of BANK OF AMERICA, Bayshore Loan Servicing. (MCDONALD, KEVIN) (Entered: 10/12/2016)
10/12/2016	 <u>12</u>	Notice of (related document(s): <u>10</u> Motion to Dismiss Adversary Proceeding) Filed by Evelyn Rivera. Hearing scheduled 11/16/2016 at 11:00 AM at nix5 - Courtroom #5. (SCHULTZ, JENNIFER) (Entered: 10/12/2016)
10/12/2016	 <u>13</u>	Certificate of Service Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera (related document(s) <u>10</u> , <u>12</u>). (SCHULTZ, JENNIFER) (Entered: 10/12/2016)
10/12/2016	 <u>14</u>	Motion to Dismiss Case. Motion to Dismiss Adversary Complaint Filed by BANK OF AMERICA, Bayshore Loan Servicing Represented by KEVIN G. MCDONALD (Counsel). (Attachments: # <u>1</u> Memorandum of Law in Support # <u>2</u> Exhibits 1-5 # <u>3</u> Proposed Order # <u>4</u> Service List # <u>5</u> Notice of Motion to Dismiss) (MCDONALD, KEVIN) (Entered: 10/12/2016)
10/13/2016	 <u>15</u>	Notice of (related document(s): <u>14</u> Motion to Dismiss Case, Motion to Dismiss Adversary Complaint) Filed by BANK OF AMERICA , Bayshore Loan Servicing . Hearing scheduled 11/16/2016 at 11:00 AM at nix5 - Courtroom #5. (D., Stacey) (Entered: 10/13/2016)
10/14/2016	 <u>16</u>	Notice of Appeal to District Court . Receipt Number 0, Fee Amount \$0 Filed by John J. Lynch (related document(s) <u>6</u>). Appellant Designation due by 10/28/2016. Transmission of record on appeal to District Court Due Date:11/11/2016. cc: Judge Ashely M. Chan, District Court, Jennifer Schultz, Kevin McDonald, Thomas Puelo, United States Trustee, Gary Seitz, John J. Lynch. (D., Stacey) Additional attachment(s) added on 10/18/2016 (D., Stacey). (Entered: 10/18/2016)
10/18/2016	 <u>17</u>	Court's Certificate of Mailing. Number of notices: 8, Judge Ashely M. Chan, District Court, Jennifer Schultz, Kevin McDonald, Thomas Puelo, U.S. Trustee, Gary Seitz, John Lynch. (related document(s) <u>16</u>). (D., Stacey) Modified on 10/18/2016 (D., Stacey). (Entered: 10/18/2016)
10/18/2016	 <u>18</u>	Transmission of Notice of Appeal to District Court (related document(s) <u>16</u>). (D., Stacey) (Entered: 10/18/2016)











Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

10/18/2016	<u>19</u>	Hearing Continued on Motion to Dismiss Adversary Proceeding Filed by KML Group, Inc. Represented by THOMAS I. PULEO (Counsel), Motion to Dismiss Adversary Proceeding Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). and Motion to Dismiss Case. Motion to Dismiss Adversary Complaint Filed by BANK OF AMERICA, Bayshore Loan Servicing Represented by KEVIN G. MCDONALD (Counsel). Hearing Rescheduled to 11/30/2016 at 11:00 AM at nix5 - Courtroom #5. (T., Barbara) (Entered: 10/18/2016)
10/18/2016	<u>20</u>	Notice of Docketing Record on Appeal to District Court. Case Number: 16-5493 , Judge Rufe (related document(s) <u>16</u>). (D., Stacey) (Entered: 10/21/2016)
10/18/2016	<u>21</u>	** Duplicate of Doc. # 20 ** Notice of Docketing Record on Appeal to District Court. Case Number: 16-5493, Judge Rufe. (related document(s) <u>16</u>). (D., Stacey) Modified on 10/25/2016 (D., Stacey). (Entered: 10/25/2016)
11/03/2016	<u>22</u>	Response to Motion to Dismiss Case for Other filed by Defendant BANK OF AMERICA, Defendant Bayshore Loan Servicing Filed by John J. Lynch (related document(s) <u>14</u>). (D., Stacey) (Entered: 11/03/2016)
11/22/2016	<u>23</u>	Transmittal of Record on Appeal to District Court (related documents <u>16</u> Notice of Appeal) Filed by John J. Lynch (# 16-5493) (related document(s) <u>16</u>). (D., Stacey) (Entered: 11/22/2016)
11/23/2016	<u>24</u>	District Court Acknowledgement of receiving Notice of Appeal. # 16-5493. (related document(s) <u>16</u>). (D., Stacey) (Entered: 11/28/2016)
11/30/2016	<u>25</u>	Hearing Held on <u>8</u> Motion to Dismiss Adversary Proceeding Filed by KML Group, Inc. Represented by THOMAS I. PULEO (Counsel). (Attachments: # 1 Brief in Support of the Motion of Defendant, KML LAW GROUP,P.C., to Dismiss Plaintiff's Adversary Complaint # 2 Exhibit A-H # 3 Proposed Order # 4 Service List) filed by Defendant KML Group, Inc., <u>10</u> Motion to Dismiss Adversary Proceeding Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). (Attachments: # 1 Proposed Order # 2 Service List # 3 Volume(s) brief in support) filed by Defendant Evelyn Rivera,

Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

		<u>14</u> Motion to Dismiss Case. Motion to Dismiss Adversary Complaint Filed by BANK OF AMERICA, Bayshore Loan Servicing Represented by KEVIN G. MCDONALD (Counsel). (Attachments: # <u>1</u> Memorandum of Law in Support # <u>2</u> Exhibits 1-5 # <u>3</u> Proposed Order # <u>4</u> Service List # <u>5</u> Notice of Motion to Dismiss) filed by Defendant BANK OF AMERICA, Defendant Bayshore Loan Servicing (related document(s), <u>14,8,10</u>). Order entered. (D., Stacey) (Entered: 12/01/2016)
11/30/2016	 <u>26</u>	Hearing Held on { <u>8</u> } <u>10</u> <u>14</u> , Motion to dismiss adversary proceeding. Order entered . (D., Stacey) (Entered: 12/01/2016)
11/30/2016	 <u>27</u>	Hearing Held on <u>8</u> <u>10</u> <u>14</u> Motion to dismiss adversary proceeding. Order entered. (D., Stacey) (Entered: 12/01/2016)
11/30/2016	 <u>28</u>	Order Granting Motion to Dismiss Adversary Proceeding with prejudice. (Related Doc # <u>10</u>) (D., Stacey) (Entered: 12/01/2016)
11/30/2016	 <u>29</u>	Order Granting Motion to Dismiss Adversary Proceeding with prejudice. (Related Doc # <u>8</u>) (D., Stacey) (Entered: 12/01/2016)
11/30/2016	 <u>30</u>	Order Granting Motion to Dismiss adversary complaint with prejudice. (Related Doc # <u>14</u>) (D., Stacey) (Entered: 12/01/2016)
12/01/2016		Disposition of Adversary 2:16-ap-301 dismissed (related document(s) <u>5</u> , <u>1</u>). (D., Stacey) (Entered: 12/01/2016)
12/03/2016	 <u>31</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>28</u>)). No. of Notices: 3. Notice Date 12/03/2016. (Admin.) (Entered: 12/04/2016)
12/03/2016	 <u>32</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>29</u>)). No. of Notices: 3. Notice Date 12/03/2016. (Admin.) (Entered: 12/04/2016)
12/03/2016	 <u>33</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>30</u>)). No. of Notices: 3. Notice Date 12/03/2016. (Admin.) (Entered: 12/04/2016)
12/08/2016	 <u>34</u>	Copy of Order Re: The Appellant shall serve and file his brief within 15 days after the date of reassignment. The Appellee shall serve and file briefs within 15 days after service of the brief of

Live Database Area

https://ecf.paeb.circ3.dcn/cgi-bin/DktRpt.pl?295126354253659-L_1_0-1

		the Appellant. The Appellant may serve and file a reply brief within 10 days after service of the brief of the Appellee . (D., Stacey) (Entered: 12/14/2016)
01/04/2017	<u>35</u>	Copy of Order Re: Upon review of the Court's records indicating that Appellant has not filed a brief in the above captioned matter despite a court order to do so by December 20, 2016 (Doc. #3), it is hereby Ordered that Appellant shall serve and file a brief by Wednesday, January 18, 2017. (D., Stacey) (Entered: 01/09/2017)
01/11/2017	<u>36</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>35</u>)). No. of Notices: 3. Notice Date 01/11/2017. (Admin.) (Entered: 01/12/2017)
01/18/2017	<u>37</u>	(Copy) Notice of Appeal to District Court. . Receipt Number 0, Fee Amount \$0 Filed by John J. Lynch (related document(s) <u>30</u> , <u>28</u> , <u>29</u>). Appellant Designation due by 2/1/2017. Transmission of record on appeal to District Court Due Date:2/15/2017. CC: Judge Chan, District Court, Jennifer Schultz, U.S. Trustee, Kevin McDonald, Gary Seitz, Thomas Puleo, John J. Lynch (1-20-17). (D., Stacey) (Entered: 01/20/2017)

A TRUE COPY CERTIFIED
TO FROM THE RECORD
DATED: 1-20-17
ATTEST: [Signature]
Deputy Clerk
U.S. Bankruptcy Court

GEKP

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

17-B-0312
17 0312

**DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.
BANKRUPTCY RECORD ON APPEAL**

Address of Plaintiff: IN RE: 3281 Red Lion Rd., Apt. #1
Post office: Phila, PA 19114 County: _____
Address of Defendant: _____
Post office: _____ County: _____
Place of incident, or transaction: _____
Post office: _____ County: _____
(Use Reverse Side for Additional Space)

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☐

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes in answered to any of the following questions:

- 1.) Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
- 2.) Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
- 3.) Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes ☐ No ☐

CIVIL: (Place (X) in ONE CATEGORY ONLY)

- | | |
|---|---|
| <p>A. Federal Question Cases</p> <ol style="list-style-type: none"> 1.) <input type="checkbox"/> Indemnity Contract, Marine Contract, and all Other Contracts 2.) <input type="checkbox"/> FELA 3.) <input type="checkbox"/> Jones Act-Personal Injury 4.) <input type="checkbox"/> Antitrust 5.) <input type="checkbox"/> Patent 6.) <input type="checkbox"/> Labor-Management Relations 7.) <input type="checkbox"/> Civil Rights 8.) <input type="checkbox"/> Habeas Corpus 9.) <input type="checkbox"/> Securities Act(s) Cases 10.) <input type="checkbox"/> Social Security Review Cases (Please Specify) 11.) <input checked="" type="checkbox"/> All other Federal Question Cases (Please specify)
<u>Bankruptcy Appeal</u> | <p>B. Diversity Jurisdiction Cases:</p> <ol style="list-style-type: none"> 1.) <input type="checkbox"/> Insurance Contract and Other Contracts 2.) <input type="checkbox"/> Airplane Personal Injury 3.) <input type="checkbox"/> Assault, Defamation 4.) <input type="checkbox"/> Marine Personal Injury 5.) <input type="checkbox"/> Motor Vehicle Personal Injury 6.) <input type="checkbox"/> Other Personal Injury (Please specify) 7.) <input type="checkbox"/> Products Liability 8.) <input type="checkbox"/> Products Liability - Asbestos 9.) <input type="checkbox"/> All other Diversity Cases (Please Specify) |
|---|---|

ARBITRATION CERTIFICATION

I, _____, counsel of record do hereby certify pursuant to Local Civil Rule 8, Section 4(a)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.

Date _____ Deputy Clerk _____

☒ **BANKRUPTCY APPEAL**

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

Date 1/20/17 Deputy Clerk Steve Thomas, Deputy Clerk

JAN 20 2017

GEKP

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

In Re: John J. Lynch

v.

CIVIL ACTION

17

0312

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date

1/20/17

Attorney-at-law

Steve Tomas

Attorney for

Deputy Clerk

Telephone

FAX Number

E-Mail Address

(Civ. 660) 10/02

JAN 20 2017

**Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track**

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

**SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)**

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.